

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Gary VAN NEST

Application No.: 09/802,686

Confirmation No.: 9981

Filed: March 9, 2001

Art Unit: 1638

For: METHODS OF PREVENTING AND  
TREATING RESPIRATORY VIRAL  
INFECTION USING  
IMMUNOMODULATORY  
POLYNUCLEOTIDE SEQUENCES

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Examiner: E. Le

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Madam:

**INTRODUCTORY COMMENTS**

This is in response to the non-final Office Action dated October 16, 2008 (Paper No. 20081010), for which a response is due on January 16, 2009. Filed herewith is a Petition and fee for a one month extension of time, thereby extending the deadline for response to February 16, 2009. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.